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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,214	10/13/2004	Petrus Adrianus Josephus Holten	NL 020348	2149

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

CARTER, WILLIAM JOSEPH

ART UNIT	PAPER NUMBER
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2875

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary

Application No.

10/511,214

Applicant(s)

HOLTEN ET AL.

Examiner

William J. Carter

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/22/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Collins (4,755,916).

With respect to claim 1, Collins teaches a luminaire (Fig. 2) comprising: a main reflector (10) with a light emission window (38); a counter reflector (32) positioned opposite to the main reflector (Fig. 2); means (28 and 44) for accommodating at least one electric lamp (30 and 46) positioned in between the main reflector and the counter reflector (Fig. 2), characterized in that the counter reflector is provided with a light-transmitting cover (40) which is positioned at a side of the counter reflector facing away from the means for accommodating the at least one lamp (Fig. 2), and which cover has a light entry face (area where 38 and 40 meet) exposed to the light mission window (Fig. 4), and which cover has a light exit surface (bottom surface of 40) at the side facing away from the means for accommodating the at least one lamp (Figs. 2 and 4).

As for claim 3, Collins teaches the cover (40) is an optical waveguide (column 4, lines 11-12; being that the cover is made of glass, the internal reflection from the transmitted light will make the cover act as an optical waveguide).

As for claim 8, Collins teaches the cover (40) is provided with a light-outcoupling element (column 4, lines 11-12; being that the cover is made of glass, the internal reflection from the transmitted light will make the cover act as diffusing lens).

As for claim 9, Collins teaches the light-outcoupling element (40) is chosen from the group consisting of a lens, a prism, a diffuser body, and combinations thereof (column 4, lines 11-12; being that the cover is made of glass, the internal reflection from the transmitted light will make the cover act as diffusing lens).

As for claim 10, Collins teaches the diffuser body (40) is provided at a side of the cover facing away from the counter reflector (Fig. 2), which diffuser body is partly recessed in the cover (Fig. 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins.

With respect to claims 4-6, Collins teaches all of the claimed elements, as discussed above, except for explicitly teaching the cover is connected to the counter reflector via suspension means; the cover essentially only contacts the counter reflector with its suspension means; and the suspension means are formed by an outer edge of the counter reflector. Collins does teach a cover (38) is connected to a reflector (10) via suspension means (36); the cover essentially only contacts the counter reflector with its suspension means (Fig. 2); and the suspension means are formed by an outer edge of the counter reflector (Fig. 2). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the suspension means taught with the main reflector in the cover of the counter reflector, in order to hold the cover in place (column 4, lines 4-7).

Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins in view of Ramer (6,334,700).

With respect to claims 2 and 7, Collins teaches all of the claimed elements, as discussed above, as well as teaching the counter reflector (32) consists of a reflector provided on (Fig. 2) a side of the cover (40) facing towards the means (28 and 44) for accommodating the at least one electric lamp (30 and 46). Collins does not explicitly teach the reflector consisting of a reflective coating. Ramer, also drawn to luminaires, teaches a reflector consisting of a reflective coating (column 6, lines 55-59). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the coating of Ramer on the cover of Collins, in order to provide improved performance over prior light distributors (column 4, lines 62-63).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Collins in view of Staiger et al. (5,065,287).

With respect to claim 11, Collins teaches all of the claimed elements, as discussed above, except for explicitly teaching an edge of the cover is coated with a color filter. Staiger, also drawn to luminaires, teaches a cover coated with a color filter (column 5, lines 28-31). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the color filter coating of Staiger on the cover of Collins, in order to meet a desired coloring output from the reflector (column 5, lines 28-31).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wjc
03/23/07


ALI ALAVI
PRIMARY EXAMINER